

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: Arcy E. Crute		
	Debtor(s)	CHAPTER 13
U.S. Bank National Association (Trustee for the Pennsylvania Housing Finance Agency)		
	Movant	
vs.		NO. 16-16197 JKF
Arcy E. Crute		
	Debtor(s)	
Frederick L. Reigle		
	Trustee	11 U.S.C. Section 362

**MOTION OF U.S. BANK NATIONAL ASSOCIATION (TRUSTEE FOR THE
PENNSYLVANIA HOUSING FINANCE AGENCY) FOR RELIEF FROM THE
AUTOMATIC STAY UNDER SECTION 362**

1. Movant is U.S. Bank National Association (Trustee for the Pennsylvania Housing Finance Agency).
2. Debtor(s) is the owner(s) of the premises 6332 Reedland Street, Philadelphia, PA 19142, hereinafter referred to as the mortgaged premises.
3. Movant is the holder of a mortgage in the original principal amount of \$34,202.00 on the mortgaged premises that was executed on June 26, 1995. Said mortgage was recorded on July 14, 1995 at Book M1659, Page 592. The Mortgage was subsequently assigned to Movant by way of Assignment of Mortgage recorded on June 13, 2016 in Document ID Number 53069571 in Philadelphia County.
4. Frederick L. Reigle is the Trustee appointed by the Court.
5. The commencement or continuation of mortgage foreclosure proceedings by reason of non-payment of monthly mortgage payments were stayed by Debtor's filing of a Chapter 13 bankruptcy petition.
6. The confirmed Chapter 13 Plan provides that Debtor(s) shall cure the pre-petition mortgage loan default through the Plan, and meanwhile shall maintain post-petition contractual mortgage payments.
7. Debtor(s) has/have failed to make the post-petition mortgage payments due in the amount of \$340.00 per month for the months of March 2017 through September 2017, plus monthly late charges for each of the aforesaid months at \$10.04 per month.

8. In addition to being owed the aforesaid missed payments and other charges, Movant has also incurred \$850.00 in legal fees and \$181.00 in legal costs, as of the date hereof, in connection with seeking the relief requested in this Motion. Movant reserves all rights to seek an award or allowance of such fees and expenses in accordance with the terms of the loan and mortgage, the Bankruptcy Code and applicable law.

9. The total amount necessary to cure the post-petition delinquency on the mortgage loan and to reinstate the loan post-petition is **\$2,450.28** (plus attorney's fees & costs).

10. Movant is entitled to relief from stay for cause.

11. This motion and the averments contained herein do not constitute a waiver by Movant of its right to seek reimbursement of any amounts not included in this motion, including fees and costs, due under the terms of the loan and mortgage, and applicable law.

WHEREFORE, Movant prays that an Order be entered modifying the Stay to permit Movant to proceed with its mortgage foreclosure on the mortgaged premises, and to allow the Sheriff's Grantee to take any legal action to enforce its right to possession of the mortgaged premises. Further, Movant prays that an Order be entered awarding Movant the costs of this suit, including reasonable attorney's fees in accordance with the loan and mortgage terms, and current law, together with interest.

/s/ Matteo S. Weiner , Esquire

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Dated: October 16, 2017